UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF INDIANA

KATHRYN GILLETTE)

RAIF SZCZEPANSKI)

[redacted])

INDIANAPOLIS, IN 46236)

)

Plaintiffs) CAUSE NO.

1 :15 -cv- 0913 SEB-DML

vs.)

)

BOEHRINGER INGLEHEIM PHARMACEUTICALS, INC.)

900 RIDGEBURY RD.)

RIDGEFIELD, CT 06877)

)

and)

)

PFIZER, INC.)

235 E 42ND ST.)

NEW YORK, NY 63166)

Defendants)

STATEMENT OF CLAIM

Come now the Plaintiffs, Kathryn Gillette and Raif Szczepanski, citizens of Indiana, residing at 8335 Catamaran Dr, Indianapolis, IN. 46236, pleading to the court to grant relief to the Plaintiffs for the following injuries caused to them by the

Defendants, Boehringer Ingelheim Pharmaceuticals, Inc. (BIPI) and Pfizer, Inc., due to the drug Mirapex/pramipexole, a dopamine agonist, manufactured and marketed by BIPI and Pfizer across the world, in an off-label promotion or Broadening of Indication, for the symptoms of mild restless leg syndrome (RLS) which is in violation of the False Claims Act decided in Franklin v. Parke Davis. It was prescribed in the year 2000 for Kathryn Gillette for relief from a mild case of restless leg syndrome. Gillette suffered from augmentation which is worsening of the symptoms which requires increased doses of the drug to effectively control the symptoms of RLS until after ten years of being on Mirapex Gillette received an increased dosage which caused pathological gambling. The resulting damages of that pathological gambling also caused injury to her spouse, Raif Szczepanski. Boehringer Ingelheim began co-production and co-marketing of Mirapex with Pfizer after BIPI negotiated a patent infringement suit against Pfizer.

HISTORY OF BOEHRINGER INGELHEIM

Boehringer Ingelheim is a pharmaceutical corporation which manufactures drugs for humans and animals. It is one of the largest family owned drug corporations in the world with over 13 billion Euros in net sales in 2014. One of the drugs it produces is called Mirapex or pramipexole, and is an antiparkinson's drug. BIPI received approval to market Mirapex for the treatment of Parkinson's Disease in 1997. Mirapex was approved by the Food and Drug Administration (FDA) to treat moderate to severe Restless Leg Syndrome (RLS) in 2006. The FDA has never approved Mirapex for mild RLS. In September, 2008 the FDA sent a Warning Letter to BIPI for the 'Broadening of Indication in the professionally-directed piece MRLS47439 which indicated that Mirapex is safe and effective for use in the treatment of RLS regardless of severity (mild, moderate, or severe), when, in fact, Mirapex is only approved for use in the treatment of moderate to severe RLS.

Mirapex has long been linked to obsessive compulsive behavioral disorders/impulse control disorders such as gambling, overeating, hyper-sexuality, etc. Extensive studies by doctors of Parkinson's patients correlated the use of Mirapex to pathological gambling which plagued many Parkinson's patients. Some studies have estimated these compulsive behavioral disorders to be as high as 1 in every 7 Parkinson's patient treated with Mirapex. Even though these impulse control disorders were observed in the medical community as far back as 2002 by Dr. M. Leeann Dodd of the Mayo Clinic and in 2003 by Dr. Mark Stacy of the Muhammad Ali Parkinson Research Center at the Barrow Neurological Institute in Phoenix, BIPI only recently acknowledged that this is a fact. In their drug efficacy report of 2012 BIPI states that it was reported to them that obsessive compulsive behavioral disorders are linked to Mirapex but they don't know if this is true. In 2015, BIPI finally acknowledged, "Case reports and the results of a cross-sectional study suggest that patients can experience intense urges to gamble…Because patients may not recognize these behaviors as abnormal it is important for prescribers to specifically ask patients or their caregivers about the development of new or increased gambling urges while being treated with Mirapex." It took BIPI 13 years to admit what the medical community began to observe years earlier.

Unfortunately, this is only the surface of negligent behaviors practiced by BIPI. Known abuses have been documented since the 1980's.

BIPI conducted controversial drug tests in East Germany which, under communist control, had less stringent regulations on human medical trials. BIPI paid doctors and hospitals large sums of money to test its drugs on patients whose doctors failed to inform them about the drug trials with no opportunity for the patients to consent to participation. Patient deaths occurred in these trials. BIPI admits to three such studies conducted on its behalf but records show there were at least twice as many.

The FDA has a long history of battling with BIPI because of its abuses.

The FDA sent several Letters of Warning to BIPI specifically regarding Mirapex. In addition to these letters, BIPI has been warned by the FDA many times for other abuses.

In June 2000, the FDA issued a Warning Letter to BIPI because an outdated version of the Viramune web site failed to provide important safety information.

In September 2004, the FDA issued another Warning Letter which stated a consumer-directed promotional labeling piece for Atrovent and Combivent is false or misleading because it makes unsubstantiated claims and omits material facts about the drugs.

Also in September 2004, the FDA issued a Warning Letter to BIPI about a direct-to-consumer print ad for Viramune Tablets and Viramune Oral Suspension which fails to disclose limitations on the indication for Viramune and minimizes the risks associated with Viramune, which can be serious or even fatal.

In March 2005, the FDA issued a Warning Letter to BIPI about a journal ad for Aggrenox capsules stating the ad is false or misleading because it contains unsubstantiated superiority claims and fails to include pertinent information about risks associated with Aggrenox

In May 2006, an FDA Warning Letter was sent to BIPI about Spiriva because its promotional piece fails to reveal material facts misbranding the drug in violation of FDA regulations.

In September 2008, FDA regulators sent BIPI a warning letter for disseminating promotional materials that failed to mention the risks associated with Mirapex and overstated its uses. BIPI issued two consumer-directed printouts for Mirapex that violated the FDA's labeling laws by omitting the required warnings about the hazards associated with Mirapex use.

In February 2009, BIPI received an FDA Warning Letter concerning Roxanol and Roxicodone which were marketed without an approved application violating U.S. law.

In April 2009, The FDA sent a warning letter to BIPI about sponsored links on the internet concerning Mirapex, Flomax, and Spiriva. The FDA stated the links are misleading because they fail to communicate any risk information associated with the use of these drugs.

Repeated FDA violations were reported in the Bedford, Ohio, BIPI contract manufacturing facility which was closed in 2011.

In May 2013, the FDA sent a Warning Letter to BIPI about failed inspections of pharmaceutical manufacturing centers in Rhein, Germany.

Ben Venue is another manufacturing center of BIPI which closed in December 2013, due to an FDA consent decree that prevented production and distribution of drugs until it complied with safety standards. The problems were so numerous that, even after spending millions of dollars, BIPI could not bring the plant up to EPA standards and closed the plant.

In March 2014, the FDA withheld approval of a new Eli Lilly diabetes drug developed jointly with BIPI until BIPI fixes the violations in its German manufacturing centers.

The FDA is not the only U.S. regulatory agency that has found BIPI negligent in its actions.

The Environmental Protection Agency became involved in September 2012, when BIPI was forced to pay a civil penalty of $64,475 to settle violations related to the improper handling of mercury waste at a veterinary vaccine production facility in Kansas. As a part of the EPA settlement, BIPI was required to spend at least $300,000 on a new hazardous waste storage facility.

The Department of Justice in October 2012, reached a $95 million agreement with BIPI to resolve off-label promotion allegations or broadening of indication for four of its drugs. Additionally, the DOJ alleged that BIPI paid kickbacks to doctors to incentivize prescriptions, and made unsubstantiated claims about some of its drugs. BIPI agreed to enter into an expansive Corporate Integrity Agreement.

In the contents of the BIPI website regarding MIRAPEX Door-to-Door, under Important Safety Information, BIPI does not inform the reader of the latest known side effect revealed in 2012, that Mirapex can cause heart problems resulting in death. In May 2012, it was reported in Forbes Magazine by Larry Husten, a medical journalist covering cardiology news that BIPI failed to fully disclose data suggesting that Mirapex is associated with a significantly increased risk of heart failure. The article further states, "Although cardiac failure was an adverse event observed during clinical trials and is mentioned in the drug's label, a more definite association had not been established in the literature until recently. According to Pharmalot's Ed Silverman, however, Boehringer Ingelheim appears to have been aware of the stronger association previously but made no effort to publish or disseminate its findings." Over three years have passed since this knowledge came to light. When is BIPI going to publish this terrible side effect on its websites and marketing information? Will it take another Warning Letter from the FDA before BIPI publishes this information?

Lawsuits against BIPI were just settled concerning another drug BIPI produces. Pradaxa users alleged BIPI failed to properly warn consumers about the drug's potential health risks of bleeding to death and lack of an antidote.

It is reported that another BIPI drug, Tradjenta which is similar in action to Byetta, a drug known to cause cancer, may also be linked to pancreatitis or pancreatic cancer and it is predicted lawsuits will follow.

In short, BIPI has not been forthcoming throughout the years about harmful, even lethal side effects of drugs it produces not revealing all of the facts until forced by the FDA.

HISTORY OF PFIZER

Pfizer has received 22 Letters of Warning from the FDA beginning in 1999. In 2009, the FDA fined Pfizer a record $1.3 billion criminal penalty fine and $1 billion in civil fines for illegal marketing of its drugs for a total penalty of $2.3 billion. The latest Letter of Warning was issued by the FDA in 2012 regarding Zmax, again broadening the indication for the drug product, among other citations. Pfizer has been co-marketing and manufacturing Mirapex with BIPI since 2004.

In summary, both BIPI and Pfizer have long histories of illegally broadening the indications for their drug products which injured Gillette and Szczepanski.

PLAINTIFF GILLETTE'S STATEMENT

In the year 2000 I married. I was not taking any medications at the time and was in excellent health. My spouse complained that I was kicking him in my sleep. My family physician referred me to a neurologist, Dr. D'ambrosio. After several trial medications, one of which was carbidopa-levodopa, Dr. D'ambrosio told me that he believed I suffered from Restless Leg Syndrome (RLS). He said there was a new miracle medication called Mirapex which had fewer side effects than carbidopa-levodopa and would control my restless legs better. It would improve my life because I would be able to have restful sleep. He was prescribing Mirapex for me six years before it would be approved by the FDA to treat moderate to severe RLS. It still is not approved for mild forms of RLS. The National Institute of Health in its classification of RLS describes mild to severe symptoms. According to their description I would have been diagnosed with mild RLS. I can not remember the beginning dose only that it was very small and it relieved my kicking at night. I continued to see Dr. D'ambrosio for several years annually to get my prescription renewed for a daily dose of Mirapex. At some point he released me from his care because my condition was stabile and he said that my family physician could continue my care. I believe he is still in practice with Josephson Wallack Munshower, 8051 S. Emerson Ave, Suite 350, Indianapolis, IN, 46237, 317 859 1020.

Throughout the years I was taking Mirapex. I received several dosage increases as my restless leg syndrome worsened. When I complained to my doctor that my legs would not let me sleep properly and my legs were beginning to feel restless in the evenings so I could not sit, the dosage was increased for me. On April 16, 2010, the dosage was almost doubled by Dr. Vasilchek, my personal physician. Just a week after the dosage increase, severe compulsive behavioral disorders began and for me it was gambling.

I went on a vacation with Princess Cruises on April 19, 2010, aboard the Ruby Princess to celebrate my retirement from the Indianapolis Fire Department after 25 years of service. I passed through the casino on board the ship and was uncontrollably attracted to the slot machines and started gambling. I gambled thereafter on the cruise every chance I could including throughout the nights. My husband came down from our room and tried to drag me away from the slot machines but I was unwilling to quit gambling. I had cruised before on ships with casinos but had never been attracted to gambling on board ship. There were too many other wonderful things to do. After my return home, I sought places to gamble. I gambled at every casino in Indiana playing slots and table games. I was gambling thousands of dollars at a time on each hand of Black Jack. I was playing on slot machines that cost $200 a roll. I played one slot machine which cost $500 a roll. I had to borrow from the casinos because I started running out of money. The casinos gave me loans and then when I used up that money, they extended me more loans. I soon defaulted on all of those loans. I emptied my IRA of over $100,000. I started calling the 800 number listed at the casinos and on their brochures stating help could be obtained for gambling problems. It was suggested to me by a specialist at the 800 number to bar myself from the casinos so I wouldn't be able to go into them and gamble. I did not trust myself to do that because I felt it would just drive me to Las Vegas where I would stay, returning home only to collect the rent from my tenants. I lost so much money that I had to borrow from my friends and family who loaned me over $46,000. I even borrowed money from my ex-husband who withdrew money from his IRA to help me. I paid some bills but lost a lot of the money gambling. I eventually ran out of money and could not borrow anymore from my friends.

In the three years I was frenzied by Mirapex, my poor husband sat at home alone night after night wondering if I was alive or dead in a ditch somewhere because the fever pitched gambling would not let me take the time to even call him. I remember the messages he left on my phone pleading for me to call him, begging me to come home, and how he couldn't stand the loneliness. In the beginning, he believed I was having an affair. My only affair was with gambling. Whenever I returned home to my husband we argued so I would leave and go to the casinos. Eventually my husband tried to be patient with me and I tried to stay home. In my bed at home, in the middle of the night, even though I would be dead tired, I would wake with an urge to gamble especially when I hadn't gambled for a few days because I did not have any money. I had to get up and drive to the casinos. My 25 year old rental business suffered with unrepaired breakdowns, delayed or unpaid bills to contractors, rents gambled away; mortgages, real estate taxes, HOA fees, and other bills not paid, plus a loss of tenants and uncharacteristically high vacancy rates. For the first time in my life I was facing numerous lawsuits in the courts for debts I did not pay while I was addicted to gambling. My brain would not let me have any peace.

I was solely fixated on gambling with grave consequences other than just financial losses. I ignored my health by skipping mammograms and basic health care procedures, visiting the doctor only when my prescription for Mirapex expired. I lost three caps on my teeth beginning 2010 through 2013 but never visited a dentist. The uncapped teeth rotted and I suffered several infections. One infection was so severe my face swelled and was distorted. When I finally went to the dentist in 2014 he had to pull all of the rotten teeth. I gambled through the night many times missing sleep and ignoring personal hygiene like bathing and brushing my teeth. I literally stank because by this point I was urinating and defecating on myself because I could not force myself to leave the gambling table long enough to use the bathroom. I started bringing clean clothes with me so I would be able to change my poopy pants. I was falling asleep at gambling tables and the dealers would have to wake me to take my turn.

I was compensated free rooms by the casinos where I gambled but if a room was not available I slept in the cab of my Ram pick-up truck for a few hours in the parking lot of the casino. Many times when I had a free room, I didn't sleep in the room, I only showered. When I drove home, I fell asleep at the wheel of my truck, hitting guard rails and running off the road. I suffered from swollen ankles and legs because of long hours sitting in chairs at gambling tables. I gained weight due to lack of exercise and poor dietary habits at the casinos. My vital signs such as heart rate and blood pressure were abnormal when I finally visited the doctor to have my medication changed. I abandoned my friends, family and spouse in order to gamble. I felt alone and isolated.

One time, at the Indiana Grand, I won approximately $100,000 on the slot machine that cost $500 per roll. I won $80,000 on one of the rolls. I had Indiana Grand pay me with a check. I went to Hollywood Casino with a purse full of money and my $80,000 check. I intended to pay off all of the loans to the casinos where I had borrowed which were Hollywood, Rising Star, Belle Terra, and Horseshoe in Elizabethtown. I paid off the loan to Hollywood. Then I took the rest of the cash money I had and gambled it at the Hollywood. Then when that money was gone, Hollywood cashed the $80,000 check for me and I gambled all of that away. I re-borrowed the money from the loan I had just paid off which I believe was $12,000 and gambled all of that. This was in just one weekend at the Hollywood Casino. I traveled to Northern Indiana where the casinos there would not loan me any money. I traveled to Las Vegas to gamble and attempted to borrow money from the casinos. The casinos there would not loan me any money due to the defaulted loans in Indiana which were now a part of my credit record. However, one casino, the M Resort, a sister-resort to Hollywood Casino in Lawrenceburg, IN., where I lost the $100,000 in one weekend, did give me a loan of $5,000 which I gambled away in one day. When I defaulted on that loan, the District Attorney in Las Vegas threatened to put me in jail if I did not repay the loan to the M Resort. I worked out a payment plan with the District Attorney's office so I would not go to jail. In retrospect, I would have been better off in jail instead of free to gamble away more money. My family would have been alerted to my problem and I possibly could have obtained help much earlier.

I believe I won over $300,000 on slots according to the W-2G's in 2011. In 2012, I won over $1,400,000 on slots according to the W-2G's. Of course, I lost much more than I was winning. Those amounts do not include what I was losing at the table games I was playing. By 2013, I was drowning in debt. All of my credit cards were maxed out. Because of the money I had won gambling and not paying any bills, I ended up owing the IRS approximately $75,000 in 2012 (but only $10,000 in 2013 because I had slowed and eventually ceased gambling that year with the change in medication and counseling). I also owed the State of Indiana approximately $30,000 in income taxes due to the gambling. I went to a Gambler's Anonymous meeting which only seemed to inflame me. I went on a gambling binge after the meeting where I gambled away all of my renters' money and couldn't even afford gas to get home. I begged for money on the road where you turn off to the Casino in Anderson. I walked back to the casino and gambled the money. So then I went to the corner of the interstate in Anderson and begged for money there so I wouldn't be able to walk back to the casino and gamble that little bit of money.

I spent countless hours walking casino floors looking for abandoned slot machine tickets because I could not find any other sources of money but still had an uncontrollable urge to gamble. I gambled the pennies away one at a time so I could make them last. I was twice banned from Hoosier Park for 24 hours for taking abandoned tickets from slot machines and using them to gamble. The second time I was banned I had found a $15.00 slot machine ticket and used it to gamble. I was threatened with prosecution by the Indiana Gaming Commission personnel. I had to pay back the $15.00 to the person who had accidentally abandoned the ticket within 24 hours or face prosecution. I came back the next day with the money. I once found $100.00 dropped on the floor at Indiana Grand Casino and gambled with it. I had to pay back the person who dropped it or face prosecution. At the Horseshoe Casino in Elizabeth, IN, I found a ticket hanging out of a slot machine worth several hundred dollars. Casino security confronted me and made me pay the lady back her money.

My husband and I were arguing continuously about my long absences, my lack of communicating where I was staying while away, his fears of losing all that we had worked so hard for, his demands for me to stop gambling or else. He told me that his father's girlfriend said that he should protect himself from me because her husband was addicted to gambling and would not give it up even for her which led to financial problems and divorce. Unbeknownst to him, I had already started ruining his credit by borrowing from his credit cards and defaulting on them. I stole money from his bank account using his debit card. When he went to use his card he thought he had lost it and reported his debit card as lost or stolen and got a new card. When confronted, I admitted I took it so he changed the code required to obtain money from his bank account to prevent further unauthorized withdrawals by me. I do not know the code to this day. I snuck all of the change out of his drawers to gamble at casinos. I started punching myself in the face giving myself black eyes when I would lose all of the money I got from my renters. My younger sister became frustrated with me because I didn't have time to see her anymore. She said, "You are addicted to gambling.", and then hung up the phone. I risked losing insurance for my home and my rentals by having insufficient funds in my bank account to cover premiums. My insurance company, Indiana Farmers Mutual, eventually cancelled coverage on my rental houses because I paid late so many times. I had to find coverage with another company which was more expensive. Some of my houses are no longer insured because I can't afford it. My credit score went from a high of 729 in November, 2011, to a low of 485 in December, 2014.

My spouse's credit score went from a high of 792 in November, 2011, to a 527 in May, 2013. In 2014 he was taken to court by American Express and they won a judgment against him for approximately $14,000. His wages were to be garnished. Some of my renters left my houses because of the foreclosure notices that they received. I still have two houses in foreclosure which I am trying desperately not to loose. I get phone calls every day from creditors attempting to collect the debts I owe. I am behind in payments to my lawyer to defend me in the lawsuits which have been brought against me by the casinos and my lawyer is threatening to withdraw representation if I don't pay him this month.

I thought gambling was stupid and demonstrated an aversion to gambling before my medically induced pathological gambling. At my firehouse, Station Three, in Indianapolis, my co-workers pooled their money and bought lottery tickets every week. I refused to participate in the lottery pool upsetting my co-workers. I also did not participate in the frequent football gambling pools sponsored by various firehouses and individuals on the Indianapolis Fire Department even though my friends often asked me to join. You will find few records of me in casinos, maybe three or four times in my entire life prior to my dosage increase of Mirapex in April, 2010.

In July 2013, my son asked me to co-sign on a car loan for him. After my son heard the manager of the credit department say I had to bring current all of my houses which were in foreclosure before he could loan me money for a car, my son sat in disbelief. Approximately a week later my son told me to go to my doctor and get off the pramipexole. He told me that the gambling was not my fault and I should google Mirapex and gambling to see the connection for myself.

If my son had not seen this information about pathological gambling being caused by pramipexole, and warned me, surely I would be living on the street by now, maybe even dead.

Dr. Vasilchek admitted to me that she had not heard of this side effect. When I went to her with an article from the internet about the connection between Mirapex and compulsive gambling on 7/10/2013, she was just as surprised as I had been that gambling could be caused by dopamine agonists. She had not been informed of these side effects. She gave me a month supply of Gralise samples she had in her office to replace the Mirapex and she instructed me to stop all use of Mirapex. She told me she felt my RLS had become too complex for her to manage so she referred me to a neurologist. She also referred me to a counseling program for gambling addiction. I immediately called to get an appointment with a neurologist but was told there were not any appointments available for months. The counseling program in the Community Physician Network to which Dr. Vasilchek had referred me no longer had specialists in gambling addiction, only substance abuse counselors. In just three days after I discontinued the use of Mirapex, I was in agony. I went back to Dr. Vasilchek. She said she had done some research and found there were problems associated with the withdrawal of dopamine agonists. Because I could not get in to see a neurologist right away, she put me back on a small dosage of Mirapex to ease the dopamine agonist withdrawals and instructed me to continue the use of Gralise. She got me an appointment the following week with Dr. Karen Vogel, a neurologist and colleague of hers. Eventually, Dr. Vogel prescribed carbidopa-levodopa for me. In the meantime I sweated, I cried, I screamed, I agonized, I barely slept, I felt like jumping off a bridge or putting a bullet in my head as I withdrew from pramipexole. In addition, I seemed to be having terrible flashbacks to my firefighting days of the dead, burned children I had seen; attempted but failed rescues; people shot and stabbed; my firefighter friends who had committed suicide. I thought I saw my co-worker Dick Nally who had died of cancer. I was having hallucination-like, vivid memories of the terrible events I had seen on the fire department. When I got so low that I continually believed I would be better off dead, I thought about my husband and what that would do to him. I just couldn't leave a huge mess which I had created for my husband and my family to clean up all by their selves. They are why I hung on.

In my continuing research on the internet, I read that Dr. Custer, a V.A. hospital doctor had developed a highly successful program for gambling addicts. To my dismay, the Custer Center for Gambling Addiction here in Indianapolis had been closed. After I drifted into a semi in my truck at three o'clock in the afternoon because I fell asleep at the wheel on the interstate after a 24 hour gambling binge, I went to the V.A. emergency room. I am a Viet Nam Era Veteran so I knew they would see me. I was examined for the accident. I told them the real reason I was there was because I was addicted to gambling. No one in the emergency room who treated me had heard of the connection between dopamine agonists and compulsive gambling. The doctor and nurse made me promise to come to the V.A. clinic the next day for counseling. Even though my counselor was not an expert about gambling, she helped me get through the mess I was in. I stayed in counseling until I stopped gambling and started back to work.

The effects of the mind altering drug Mirapex are still with me even though I am only taking a very small dose along with carbidopa-levodopa. After almost a year of not stepping foot in a casino, I received an invitation from Caesar's Casino in Las Vegas to a Black Jack tournament in November 2014, that offered a $1,000,000 payout. I was given a free entry and five nights complimentary hotel room. I said to myself I would participate in the tournament and that was all. I took very little money with me so I would not be tempted to gamble away any of my money. I was eliminated in the first round of the tournament. That night I woke up and went to the Cashier and withdrew $500 from my bank account. I lost that. Then I withdrew more and more and more until I lost $11,000. The casino charged a 4% fee for each withdrawal which was an additional $440. In 5 days I lost a total of $11,440. That money was in my account to pay real estate taxes that I owed to the state which were due on November 10. My real estate taxes did not get paid.

I have the same problem now when I go to a casino. I am like an alcoholic who can't take just one drink. I am an addict to gambling. I understand how people can become addicted to drugs even when it will surely ruin their lives just as gambling has ruined mine. I am broken and I don't know if I will ever be the same. I would like to quit taking Mirapex altogether but my body has giant spasms at night when I try to stop taking it. My knee is thrown out of joint by these spasms and it swells making it difficult for me to walk. I read a medical report that John Hopkins administers iron infusions to RLS sufferers. 50% of the patients had moderate or greater improvement in their symptoms and 20% had a near complete resolution of symptoms. This procedure is not covered by insurance and costs $2,500. I want to try it but I can't afford it because I still owe back taxes and have houses in foreclosure.

John Hopkins website reports that dopamine-related medications, which is what Mirapex is, 'are likely to be effective in reducing symptoms in 90% of patients with RLS but excessive sleepiness, increased compulsive behavior and more commonly, paradoxical worsening of symptoms, referred to as "augmentation", may occur with these medications after extended use'. Recent reports suggest they also cause heart failure and retinal degeneration. My father would have told me, "The cure is worse than the disease."

BIPI is aware of my dire circumstances because I am being sued by the casinos where I borrowed money. My lawyer named BIPI as a co-defendant. BIPI was presented with all of the above information and the proof to support my claim many months ago but has offered little help.

RELIEF SOUGHT

Damages sought from BIPI due to its negligence are as follows:

a. Early withdrawals from my IRA of $104,000.62

b. $10,000.00 penalty owed to the government in the form of taxes to the IRS for early withdrawal from an IRA.

c. Loss of $326,340.00 in rents received in 2011

d. Loss of $326,340.00 in rents received in 2012

e. Loss of $326,340.00 in rents received in 2013

f. $20,000.00 loan from Tonya Coffman, friend

g. $14,000.00 loan from Joyce Gillette, Mother of Defendant

h. $12,000.00 loan from Richard Riley, ex-husband

i. Credit card indebtedness of:

1. Citi account ending in 9359 $31,077.69

2. Citi account ending in 8409 $38,955.24 (belonging to spouse Raif Szczepanski)

3. Princess Visa account ending in 2959 $6201.79 (belonging to spouse Raif Szczepanski)

4. 5th/3rd Bank Visa account ending in 9389 $11,800.00 (belonging to spouse Raif Szczepanski)

5. American Express account ending in 8720 $3,907.00

6. American Express account ending in 4921 $1,113.00

7. American Express account ending in 4159 $7,272.00

8. Capitol One/Menards account ending in 1219 $1,813.00

9. American Express account ending in 1005 $14,379.46 (belonging to spouse Raif Szczepanski)

10. Macy's account ending in 3449 $495.00

11. Sears account ending in 3867 $4,219.00

j. Casino indebtedness:

1. Rising Star Casino $9,500.00

2. Hollywood Casino $12,000.00

3. Belle Terra Casino $8,000.00

4. The M Resort $5,000.00

5. Global Payments Hoosier Park Casino $2,020.00

6. Indiana Grand Casino $5,000.00

7. Horseshoe Casino, Elizabeth, Indiana $4,000.00

8. Horseshoe Casino, Cincinnati, Ohio $2,000.00

k. Credit lines from Huntington Bank:

1. Account ending in 0162 $84,866.00

2. Account ending in 0087 $$55,274.00

l. $50,000 to get two of my rental homes out of foreclosure

m. Funds to buy three houses to replace the houses I had to sell to keep from losing all of my other houses:

1. 6144 Carrie Ct, Indianapolis, IN. $111,500.00
2. 1039 Angus Le, Indianapolis, IN. $85,000.00
3. 4804 Spring Flower Ct, Indianapolis, IN $170,000.00

n. Back real estate taxes owed of approximately $30,000.00

o. Back federal taxes owed of approximately $75,000.00

p. Back state income taxes owed of $39,000.00

q. Lawyer fees of $38,800.00 to date

From BIPI Plaintiffs Gillette and Szczepanski seek:

$2,057,411.80 in actual damages,

Gillette also seeks compensatory damages of $10,000,000.00 because of her injured health, injured credit, and pain and suffering.

Szczepanski seeks compensatory damages of $10,000,000.00 because of his injured credit and for three years of no consortium.

From Pfizer Gillette and Szczepanski seek:

$10,000,000.00 in compensatory damages for each.

The total damages sought on behalf of the Plaintiffs are:

$42,057,411.80 (Forty two million fifty seven thousand four hundred eleven dollars and eighty cents).

Respectfully submitted by,

Kathryn Gillette 6/11/15

Kathryn Gillette
Pro Se
8335 Catamaran Dr.
Indianapolis, IN. 46236
317 755 6670